UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

TOBBIE LYNN EDDE.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:21-cv-00101-ACA
	)	
UNITED STATES DEPARTMENT OF JUSTICE, et al.,	)	
	)	
	)	
Defendants.		

<u>MEMORANDUM OPINION AND ORDER</u>

Plaintiff Tobbie Lynn Edde, proceeding *pro se*, filed this lawsuit against the United State Department of Justice and the Federal Bureau of Prisons, seeking (1) damages based on an allegedly unlawful search of his home and seizure of property found there and (2) the return of the property. (Doc. 1). On May 25, 2022, the magistrate judge entered a report recommending that, to the extent Mr. Edde seeks damages, the court should dismiss the lawsuit based on the United States' sovereign immunity, and to the extent Mr. Edde seeks the return of property under Federal Rule of Criminal Procedure 41(a), the court should deny that request. (Doc. 28). The magistrate judge notified the parties of their right to object and warned them that failure to object waives the right to challenge on appeal any unobjected-to factual and legal conclusions. (*Id.* at 7). The deadline for objections has passed without receipt of any objections.

Mr. Edde's failure to file objections waives any challenge to the proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1); 11th Cir. 3-1. The court therefore **ADOPTS** the magistrate judge's report and **ACCEPTS** his recommendations. The court **GRANTS** Defendants' motion to dismiss. To the extent Mr. Edde seeks damages, the court **WILL DISMISS** the case **WITH PREJUDICE**. To the extent Mr. Edde seeks the return of property under Rule 41(g), the court **WILL DENY** that request.

The court will enter a separate partial judgment consistent with this memorandum opinion and order.

DONE and **ORDERED** this July 19, 2022.

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ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE